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Whether Cigarette Smoking-Cancer Have Relation, Is A Matter Attracting Attenion Of This Nation!

The situation seems to be: While the United States government has full legal authority to keep you from possibly catching cancer through cranberries poisoned by weed-killers, it has no such authority to keep you from possibly catching lung cancer through smoking cigarettes.

What's more, nobody now has any notion of trying to get a law passed which would try to make people stop smoking.

The legal difference between a cranberry and a cigarette — in case your children aren't able to figure this out for you — is that cranberries are food and cigarettes aren't.

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The law gives U. S. Food and Drug Administration full authority to protect the public from contaminated foods, drugs and cosmetices. Cigarettes can't be classed as cosmetics, even though some people wear them and women put lipstick on 'em. The use of contaminated lipstick can be prevented, but not cigarettes.

So FDA Commissioner George P. Larrick had the law on his side when he moved in to protect you from cranberry cancer. He can't do a thing to protect you from cigarette cancer.

This background explains the statement by Dr. Leroy E. Burney, surgeon general of the U. S. Public Health Service, warning that cigarette smoking is the principal causative factor in the increased incidence of lung cancer.

He was using his legal authority to disseminate information on a matter pertaining to safeguarding the public health. That's all he can do in this case.

Public Health Service has no legal authority to stop people from smoking even if it could prove that more people would get lung cancer from tobacco than would get other kinds of cancer from eating contaminated cranberries.

Some thought has been given to the idea of passing a law to classify tobacco as a food and bring it under the Food and Drug Act. But this gimmick might not stand up.

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Tobacco Manufacturers sometimes tangle with the law when they introduce brands of cigarettes for which they claim medicinal use. If claims are made that a certain cigarette will cure or prevent a diesase like bronchitis, it can be classed as a drug and brought under the Food and Drug Act.

There's a case pending now against a cigarette for which the claim was made that it would help in reducing weight.

Most such cases end in false advertising complaints before the Federal Trade Commission. Unethical manufacturers stay out of the clutches of Food and Drug Administration by making their claims in advertising, but not repeating them on the label of the package itself.

If the label doesn't give directions for achieving the benefits claimed in the advertising, however, misbranding charges can be brought against the manufacturer in a squeeze play.

A still untested course of action being considered is based on the assumption that the filters in cigarettes are medical devices to preventing poisoning by the tars in tobacco smoke. Medical devices come under Food and Drug law.

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Surgeon General Burney now declares, however, that no method of filtering the smoke or treating tobacco has proved effective in reducing the hazard of lung cancer.

There are other legal blocks. Public Health Service has full authority to prevent the spread of communicable diseases. The general welfare and interstate commerce clauses of the Constitution also apply. But nobody has yet proved that cancer is a communicable disease.

Neither has anyone proved that tobacco smoke causes cancer. The extracted tars of tobacco have induced cancer in laboratory mice. But the tobacco people argue that these tars are so weak in ordinary smoke that the risk is minimized.

They also argue that there's a lot more danger of injury or death in an automobile accident, crossing the street or going to and from work. And nobody wants a law to stop these activities

Cigarettes And Cancer

That old bogeyman of the cigarette smoker—cancer scare—appears on the horizon again. Out for the title of the most unpopular man of the month among the cigarette manufacturers, Dr. Leroy E. Burney, surgeon general, has some grim pronouncements to make regarding the relationship of cigarette smoking and cancer of the lung.

Dr. Burney, who smokes only cigar and pipe himself, stands firm against dissenters. He said flatly that the "weight of evidence" indicts smoking as the principal factor in the growing increase in lung cancer and that cigarette smoking is "particularly associated" with the increase. He is not timid in giving counsel. He insists that neither the use of filters nor the treatment of tobacco reduces the hazard and warns that the best insurance against cancer of the lung is to stop smoking.

The Surgeon General's condemnation appears in an article written for the Journal of the American Medical Association. This is probably the farthest the official and the United States agency have gone in pointing up the dangers from smoking.

His article cites a study which shows "that a person who smokes cigarettes has almost three times the risk of dying from lung cancer as the pipe smoker, and seven times that of the cigar smoker." The Surgeon General's points are gloomy ones and are calculated to leave the habitual cigarette smoker somewhat shaken.

Meanwhile the cigarette tradesmen are not taking this blow lying down. James P. Richards, president of the Tobacco Institute, declares that Burney's findings are a lot of nonsense. He also can recite chapter and verse where the Burney forebodings are in error. He finds among other things that "people described as the world's heaviest cigarette smokers have low lung cancer death rates compared with people who smoke less but have been long exposed to urban air pollution."

We have decided to wait until the noise has quieted down before making our own decision. We had qualms about cranberries two weeks ago. But we ate cranberries on Thanksgiving — in our private poll we found 9 out of 10 families did also.

Now stories are coming out of Washington about the danger of using lipstick. Another fight for the Public Health Service is shaping up regarding the eating of jelly beans.

The best solution is to go off by yourself and debate the pros and cons of all these matters. They are among the many little decisions in life that you have to make for yourself. Life is a great hazard, after all. The element of chance is tremendous. We wager that confirmed cigarette smokers may reduce the intake slightly, but will keep right on smoking the weed.

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